IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.9572 OF 2004

Chango Laxman Mokal : Petitioner
(Orig. Opponent)

V/s.

Jaganath Laxman Patil & Ors. : Respondents
(Orig. Applicants)

...

Ms Gauri Godse for the petitioner.

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CORAM : S.A. BOBDE, J.

February 21, 2005.

P.C.:

1. The petitioner has challenged order of the Additional Commissioner, Konkan Division, dated 31.3.2004 rejecting his revision application regarding a mutation entry. The petitioner claims that the land in question belongs to him under mutation entry no.1344 taken on 4.4.1981. This entry has been cancelled by the revenue authorities on the application of several persons from the village on a prima facie finding that the land is Gurcharan land. The respondents' plea has found favour with the revenue authorities on the basis of mutation entry no.164 taken on

23.1.1974. There is no reason to interfere with the impugned order in view of the admitted position that Suit no.150/99 is pending before the Civil Judge, Senior Division, Alibag, regarding the land in question. It is well-known that mutation entries are meant only for fiscal purposes i.e. for collecting revenue.

2. In the circumstances, there is no reason to entertain this petition. The petitioner, however, will be at liberty to make a fresh application for change in the mutation entry depending on the result of the suit. The petition is, accordingly, dismissed.

Sd/-

S.A. BOBDE, J.